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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/034,030	12/19/2001	Gwo-Ji Homg	JCLA8482	9497
75	90 06/19/2003			
J.C. Patents, Inc.			EXAMINER	
4 Venture, Suite 250 Irvine, CA 92618			TRINH, MINH N	
			ART UNIT	PAPER NUMBER
			3729	
			DATE MAILED: 06/19/2003	フ

Please find below and/or attached an Office communication concerning this application or proceeding.

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9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) The translation of the foreign language provisional application has been received.  15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.		Application No.	Applicant(s)				
Minh Trinh   3729	Office Action Summer:	10/034,030	HORNG ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Eathermore of interney be available under the previsions of 3 CFR 1.15(a). In coverer, thorower, may a reply be limitely filled  Eathermore of interney be specified above in less than althor (30), stays, a reply within the statistory minimum of hithir (20) days will be considered timely.  If the period for reply specified above is less than althor (30), stays, a reply within the statistory minimum of hithir (20) days will be considered finely.  If the period for reply specified above is less than althor (30), stays, a reply with be statistory period will appear and ville applies (30), MONTEN from the milling date of this communication.  If the period for reply specified above is less than althor (30), stays and vill applies and villed period of the statistic period will applie and villed period of the statistic period will applie and villed period of the statistic period will applie and villed period of the statistic period will be considered from the period of the communication to the semination of the se	Office Action Summary	Examiner	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Estensions of time may be available used the provisions of 3 CPR 1.136(s). In a event, however, may a reply be timely filled after SIX (8) MONTHS from the mailing date of this communication.  If the previous from the pass of the state that they do gave, a reply within the statistic or maintenance of the pass of							
THE MAILING DATE OF THIS COMMUNICATION.  Entertubors or time may be available under the protein of 37 CPR 1.13(6). In no event, however, may a reply be timely filed  Entertubors or time may be available under the protein of 37 CPR 1.13(6). In no event, however, may a reply be timely filed  Entertubors or time may be available under the town maintains.  If the parties of crept specifical business greated of the communication.  If the parties for reply second or reply second or reply valid by a dual time parties of the parties of the parties of crept valid by a dual time parties (Protein Valid Valid).  Fallules to reply valid the set or advanded parties of the	The MAILING DATE of this communication apperent of the communic	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
3   Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) □ Claim(s) 1-49 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed.  6) □ Claim(s) is/are objected to.  8) □ Claim(s) is/are objected to.  8) □ Claim(s) is/are subject to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) □ The proposed drawing correction filed on is: a) □ approved b) □ disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) □ The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) □ All b) □ Some * c) □ None of:  1. □ Certified copies of the priority documents have been received in Application No application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  14) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) □ The translation of the foreign language provisional application has been received.  15) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121.  **Matachment(s)**    Motice of References Cited (PTO-892)	1) Responsive to communication(s) filed on 19 D	<u>ecember 2001</u> .					
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## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - Claims 1-43, drawn to a method of fabricating a ceramic substrate with <u>a</u>
     thermal conductive plug, classified in class 29, subclass 830.
  - II. Claims 44-49, drawn to a method of fabricating a ceramic with <u>an aligning</u> mark hole, classified in class 29, subclass 852.

The inventions are distinct, each from the other because of the following reasons: Inventions I and II are related as *combination and subcombination*. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, 1) the invention Group I as claimed does not require the particulars step of aligning and stacking the green tapes according to the aligning hole on the green tape and stacking together with at least another green tape without the aligning hole, (see claims 44 and 47, lines 3-7) of the invention of group II as claimed for patentability, and 2) The subcombination has separate utility such as fabricating a ceramic substrate with an aligning mark hole on at least on of the green tape as recited in claims 44 and 47 (Group II Invention).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, and the

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search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

2. This application contains claims directed to the following patentably distinct species of the claimed invention:

If applicant elects the invention of group I, claims 1-43, further restriction to one of the following species;

Species A, drawn to a first embodiment readable on figures 1-12.

Species B, drawn to a second embodiment readable on figures 13-14.

<u>Applicant is required</u> under 35 U.S.C. 121 to elect <u>a single disclosed species for prosecution on the merits</u> to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, there is no generic claim.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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Should applicants traverse on the ground that the species are not patentably distinct, applicants should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

3. A telephone call was made to <u>Jiawei Huang</u> on <u>6/18/2003</u> to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7307 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

M. Trinh

Patent Examiner Group 3700

mt June 18, 2003